

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 08/960,557

Filed: October 31, 1997

Inventor: Eugenio A. Cefali

Art Unit 1611

Examiner: Lakshmi Sarada Channavajjla

Title: METHODS FOR TREATING HYPERLIPIDEMIA WITH  
INTERMEDIATE RELEASE NICOTINIC ACID  
COMPOSITIONS HAVING UNIQUE BIOPHARMACEUTICAL  
CHARACTERISTICS

Docket No.: 065502-0013

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Dear Sir:

The following information is submitted pursuant to 37 C.F.R. Section 1.97 and 1.98 in accordance with Applicants' duty of disclosure under 37 C.F.R. Section 1.56. This submission is not an admission that the documents cited herein are prior art as to the invention claimed. In accordance with 37 C.F.R. Sections 1.97(g)-(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that other material information as defined above by 37 C.F.R. Section 1.56(b) exists.

Applicant submits herewith Form PTO 1449 listing the references cited in this Information Disclosure Statement. Applicant respectfully requests that the Examiner (1) initial each reference listed on the enclosed Form PTO 1449

indicating that the Examiner has considered and made those references of record in this application and (2) return a copy of the initialed Form PTO 1449 to Applicant. Copies of the enclosed references have been previously submitted in U.S. Patent Application No. 08/368,378, filed on January 14, 1995, which is now U.S. Patent No. 6,080,428, from which this application claims priority.

Respectfully submitted,

Date: April 29, 2008

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CERTIFICATE OF TRANSMISSION VIA EFS-WEB

I hereby certify that this Information Disclosure Statement is being transmitted to the United States Patent and Trademark Office via the Office's Electronic Filing System EFS-Web addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the 29<sup>th</sup> day of April, 2008.

/Carita Hughes/  
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